

In The United States District Court for the
Middle District Of Alabama
Northern Division

(Original)
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J. A. P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Roy Lee McAffee 147346
Plaintiff

vs.
Bob Riley, et. al.,
Defendants

Civil Action No. 2:07-CV-692-WKW
WO

Motion for Leave To Amend

Comes now Roy McAffee, the plaintiff in the above styled cause and moves this Honorable Court to grant leave to Amend his original complaint, and in support thereof states the following:

1. Plaintiff has need to amend the original complaint so that it more accurately presents the issues he is bringing before the Court
2. The Amendment that plaintiff is asking the Courts permission to make is the addition to the original complaint of an additional ground for relief
3. With Leave of the Court plaintiff will incorporate the Amendment into this Motion To Amend.

Amendment

Ground Five:

5. CNA. of Alabama violates The Equal Protection Clause of the U.S. Constitution. CNA. of Alabama effectively designates a person who is subject to its mandates as dangerous. This designation is no different from the designation given to dangerous persons confined in Alabama's mental institutions. However, there is a difference that is substantial. Institutionalized persons are afforded periodic hearings to determine their suitability for release, whereas CNA. has no such provisions. Both groups, those affected by CNA. and those confined in mental institutions are designated dangerous by the State of Alabama. One group has periodic hearings to determine their continued dangerousness and the other doesn't. This makes CNA. Constitutionally infirm within the parameters of the Equal Protection Clause.

Conclusion

With the above premises considered, the plaintiff prays that this Honorable Court will let the foregoing Amendment issue and become a part of this Cause of Action.

Respectfully submitted this 14th day of August 2007.

Roy Lee McAllister
Movant

Certificate of Service

I, Roy Lee McHeer, do hereby certify that I have served on the defendants a true and correct copy of the foregoing "Motion for Leave To Amend" by placing same, postage pre-paid, in the United States Mail.

Done this 14th day of August 2007.

Roy Lee McHeer

Police Matters 147346
(B1/L5B) 565 Bibb Lane
Brent, AL 35034

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